THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16182 of 2006

Date: 03-08-2006

Between :-

Babu .. Petitioner

And

The State Election Commissioner, Hyd
and others .. Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16182 of 2006

ORDER:

Heard both the counsel.

The writ petition is filed for a writ of mandamus declaring the action of the second respondent in rejecting the nomination of the petitioner as arbitrary, illegal and further set aside the order passed by the third respondent in proceedings No.C/1386/2006, dated 22.7.2006 as being arbitrary and illegal and consequently direct respondents 1 and 2 to forthwith receive the nomination of the petitioner enabling him to contest in the elections for the post of Ward Member, 8th Ward, Gurudodla Gram Panchayat, Daroor Mandal, Ranga Reddy district and pass such other suitable order.

The main grievance of the petitioner is in relation to the age. Yet another grievance raised by the petitioner is that the appellate authority had not looked into the material placed before it and without recording any reasons, the application was rejection. Several other factual details had been narrated in paras 2 to 6 of the affidavit filed in support of the writ petition.

In the light of the questions which are raised, the dispute appears to be in relation to the age. This being a question of fact, the writ Court cannot go into the said question at this stage.

In view of the same, the petitioner is given liberty to approach the Election Tribunal by filing appropriate election petition, if the petitioner is so advised.

Accordingly, writ petition is disposed of. No order as to costs.

03.8.2006.

mdaa